

AUG 11 2009

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

AMERIFLEX, LLC,

RESPONDENT.

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CAUSE NO. C-1774

CONSENT ORDER

JURISDICTION

1. The Department has jurisdiction over the subject matter and Ameriflex, LLC ("Respondent"), pursuant to statutes that include, but are not limited to: NEB. REV. STAT. §44-101.01 and §44-5801 ET SEQ. Said jurisdiction and control have been present at all times material hereto.

2. Respondent is a New Jersey domiciled entity licensed to transact business as a third-party administrator under the laws of Nebraska at all times material hereto.

STIPULATION OF FACT

1. On July 1, 2009, the Department of Insurance for the State of Nebraska, ("Department") initiated an administrative proceeding by filing a Petition and Notice of Hearing styled State of Nebraska Department of Insurance vs. Ameriflex, LLC, Cause No.

C-1774. A copy of the Petition and Notice of Hearing was served by certified mail, return receipt requested, upon Respondent at 700 East Gate Drive, #510, Mt. Laurel, NJ 08054. In order to resolve the allegations contained in the Petition and Notice of Hearing, the Department, by and through its counsel of record, Joel F. Green, and Respondent mutually stipulate and agree as follows:

2. As a result of Respondent's failure to provide its Nebraska 2008 annual third-party administrator report on or before March 1, 2009, the Department filed a Petition and Notice of Hearing alleging Respondent violated NEB. REV. STAT. §44-5814(1) and §44-5814(3).

3. In the spirit of cooperation and in order to avoid further expense, loss of time and disruption of Respondent's operations in the state, Respondent enters into this Consent Order freely and voluntarily. Respondent was informed of its right to a public hearing. Respondent waives its right to a hearing and acknowledges that by doing so, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits to the allegations set forth in the Petition and Notice of Hearing as referenced in Paragraph 2 of this section, and Respondent is willing to amicably resolve all pending matters in order to avoid the uncertainty and expense of litigation.

CONCLUSIONS OF LAW

1. Respondent's conduct as alleged constitutes a violation of NEB. REV. STAT. §44-5814(1) and §44-5814(3).

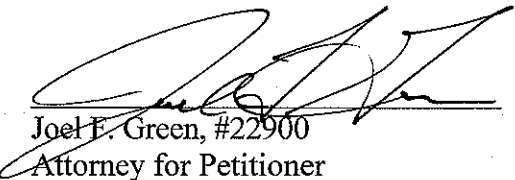
CONSENT ORDER

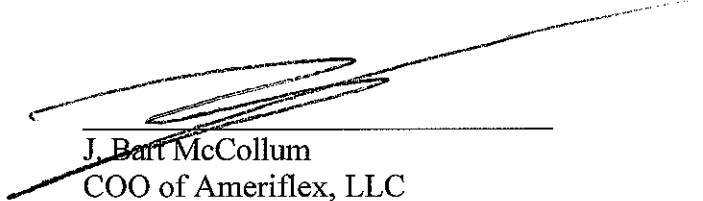
It is therefore ordered by the Director of Insurance and agreed by Respondent, Ameriflex, LLC, that Respondent shall file its Nebraska 2008 annual third-party administrator report and filing fee of two hundred dollars within thirty (30) days after the Director of Insurance or her designee approves and signs this Consent Order.

Respondent further agrees to pay an administrative fine in the amount of one thousand dollars (\$1,000.00) and also agrees to pay a forfeiture fee of seven thousand four hundred dollars (\$7,400.00), representing the total and proper amount of forfeiture fee owed by Respondent pursuant to NEB. REV. STAT. §44-5814(4)(b)(i). Both the administrative fine and the forfeiture fee shall be remitted by Respondent to the Department within thirty (30) days after the Director of Insurance or her designee approves and signs this Consent Order.

If Respondent fails to pay the aforementioned administrative fine and/or forfeiture fee when due, or fails to comply with any other terms of the Consent Order, the Department shall retain jurisdiction to make application for any such further orders as

may be necessary which shall include revocation of Respondent's Nebraska Certificate of Authority.


Joel F. Green, #22900
Attorney for Petitioner
941 O Street, Suite 400
Lincoln, NE 68508
(402) 471-2201
FOR PETITIONER


J. Bart McCollum
COO of Ameriflex, LLC
700 East Gate Drive, #510
Mt. Laurel, NJ 08054
1-888-868-3539
FOR RESPONDENT

Date

August 3, 2009

Date

7/28/09

State of New Jersey)
County of CAMDEN) ss.
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On this 29th day of July, 2009, J. Bart McCollum,
an authorized representative of Respondent, personally appeared before me on behalf of
Respondent and read this Consent Order, executed the same and acknowledged the same
to be her voluntary act and deed.

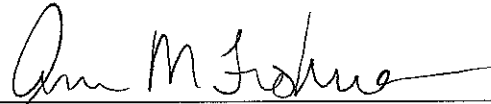

Notary Public

ANTHONY R. DILALLO JR
NOTARY PUBLIC
STATE OF NJ
MY COMMISSION EXP 10-25-12

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of the State of Nebraska Department of Insurance vs. Ameriflex, LLC, Cause No. C-1774.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



ANN M. FROHMAN
Director of Insurance

8/11/09
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to 700 East Gate Drive, #510, Mt. Laurel, NJ 08054, by certified mail, return receipt requested, on this 11th day of August, 2009.

